
Introduced by Senator Cannella

February 16, 2011

An act to amend Section 1772 of the Labor Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 438, as introduced, Cannella. Prevailing wages: public work.

Existing law generally requires the payment of the prevailing rate of per diem wages and the prevailing rate for holiday and overtime work to employees employed on a public work, as defined, that costs more than \$1,000, and provides that workers employed by contractors or subcontractors in the execution of any contract for public work are deemed to be employed upon public work.

This bill would provide that workers working in a yard, shop, or plant off the site of construction shall only be deemed to be employed upon public works if that yard, shop, or plant is specifically established for that public work project.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1772 of the Labor Code is amended to
- 2 read:
- 3 1772. Workers employed by contractors or subcontractors in
- 4 the execution of any contract for public work are deemed to be
- 5 employed upon public work. *If workers are working in a yard,*
- 6 *shop, or plant off the site of construction they shall only be deemed*

- 1 *to be employed upon public work under this section if that yard,*
- 2 *shop, plant is specifically established for a public work project.*

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